



US Army Corps of Engineers

Vicksburg District
4155 Clay Street
Vicksburg, MS 39183-3435



Public Notice

APPLICATION NO.:	ASJ-MVK-2004-495
EVALUATOR:	Ms. A. Susan Jarvis
PHONE NO.:	(601) 631-5146
FAX NO.:	(601) 631-5459
E-MAIL:	regulatory@mvk02.usace.army.mil
DATE:	December 17, 2004
EXPIRATION DATE:	January 6, 2005

Interested parties are hereby notified that the U.S. Army Corps of Engineers, Vicksburg District, and the Mississippi Department of Environmental Quality, Office of Environmental Services are considering an application for a Department of the Army permit and State water quality certification for the work described herein. A water quality certification is required in accordance with statutory authority contained in the LRS 30:2074 A(3) and provisions of the Clean Water Act. Comments should be forwarded to the Vicksburg District, Attention: CEMVK-OD-F, at the above address, and the Mississippi Department of Environmental Quality, Office of Environmental Services, Post Office Box 10385, Jackson, Mississippi 39289-0385, and must reach these offices by the cited expiration date.

Law Requiring a Permit: Section 10 of the Rivers and Harbors Act of 1899 (33 U.S.C. 403), which applies to structures or work in navigable waters of the United States and Section 404 of the Clean Water Act (33 U.S.C. 1344), which applies to discharges of dredged or fill material into waters of the United States.

Name of Applicant:

Mr. Billy Joe Boutwell
Lawrence County Board
of Supervisors
Post Office Box 1150
Monticello, Mississippi 39654

Name of Agent:

Mr. Bart Pittman
Pittman Environmental
Services, L.L.C.
Post Office Box 16296
Hattiesburg, Mississippi 39404

Location of Work: Sections 34 and 35 of T5N-R12E and sections 22, 26, 27, 28, 29, and 30 of T5N-R19W, latitude 31° 21' 53" longitude 98° 57' 14", within the Pearl River drainage basin, Marion County, Mississippi.

Description of Work: (See enclosed map and drawings.)

The following descriptions of the proposed project and associated impacts are based upon information provided by the applicant.

The applicant is applying for a Department of the Army permit to mechanically clear and fill 13.13 acres of wetlands and 1.89 acres of other waters of the United States associated with Phase I construction and maintenance of Mississippi Highway 44 extension, from Mississippi Highway 587 to Mississippi Highway 13, Marion County, Mississippi.

The applicant has made a separate permit application to the Commandant, United States Coast Guard, New Orleans, Louisiana, for approval of the location and plans to construct a fixed, two-lane highway bridge over the Pearl River, pursuant to Section 9 of the Rivers and Harbors Act of 1899.

The project would begin at Mississippi Highway 587, north of Morgantown, Mississippi, at Station No. (STA.) 727+00 and would extend generally west to east from STA. 727+00 to 1013+18.55, ending at Mississippi 13 just north of Goss, Mississippi.

Roadbed dimensions for the new two-lane highway would average 40 feet top width and 80 feet bottom width. Each lane would be 12 feet wide. The average cleared right-of-way width would be 125 feet. The project would require approximately 217,000 cubic yards of general excavation and 432,000 cubic yards of embankment. The total project length would be 6.3 miles.

The purpose of the work is to construct a two-lane extension of Mississippi Highway 44, in phases, to provide an east-west route between Lawrence and Marion Counties that crosses the Pearl River. Vehicular mobility, accessibility, safety, and level of service would be improved by directly connecting the existing Mississippi Highway 44 near Jayess, Mississippi in Lawrence County to Mississippi Highway 13 in Marion County.

The proposed Phase I project calls for extension of Mississippi Highway 44 from near Morgantown, Mississippi, to just north of Goss, Mississippi. This proposed project is the result of Mississippi legislation approved in the regular session as House Bill 1232. The extension of Mississippi Highway 44 is an important element in linking Lawrence and Marion Counties across the Pearl River.

Ten of the thirteen delineated sites were identified as wetlands that would be impacted by the project. Sites A through E cover an area located in the vicinity of STA. 769+70 to 819+80, and would impact approximately 6.7 acres. Site G is located in the vicinity of STA. 868+50 to 874+00, and would impact approximately 1.95 acres of wetlands. Site I is located in the vicinity of STA. 932+00 to 934+15, and would impact approximately 0.68 acre of wetlands. Sites K through M cover an area located in the vicinity of STA. 961+75 to 992+80, and would impact approximately 3.8 acres of wetlands.

The dominant species of vegetation at the seven delineated wetland sites include: *Acer rubrum*, *Berchemia scandens*, *Carex sp.*, *Carpinus caroliniana*, *Cephalanthus occidentalis*, *Cyperus sp.*, *Fraxinus pennsylvanica*, *Gleditsia tricanthos*, *Ilex decidua*, *Juncus accuminatus*, *Juncus effusus*, *Ligustrum sinense*, *Liquidambar styraciflua*, *Lonicera japonica*, *Magnolia virginiana*, *Myrica cerifera*, *Nyssa sylvatica*, *Quercus nigra*, *Quercus phellos*, *Pinus taeda*, *Rhynchospora tracyi*, *Salix nigra*, *Smilax glaura*, *Smilax laurifolia*, *Taxodium distichum*.

A total of approximately 13.13 acres of jurisdictional wetlands would be impacted by the construction of the project, including the cleared right-of-way. The applicant proposes to begin mitigation for the wetlands being impacted by construction of the project by minimizing impacts in accordance with their standard specifications. Unavoidably lost wetland functions and values would be appropriately mitigated.

A total of 1.89 acres of other waters of the United States would be impacted in four sites by the construction of the project, including the cleared right-of-way. The locations and amounts of impacts for these sites are shown in the Wetland Delineation Site Summary Table.

The proposed bridges over Mississippi Highway 587 (STA. 731+65 to 735+25), the Pearl River (STA. 757+35 to 807+60), and Cypress Creek (STA. 915+40 to 916+60), respectively, would be concrete slab span bridges. The proposed bridges over Dry Creek are located in the vicinity of STA. 954+05 to 955+25 and on River Road Connector in the vicinity of STA. 49+90 to 50+83, respectively, would also be concrete slab span bridges. Impacts to wetlands associated with the bridge construction would include approach and revetment work.

The placement of dredged and/or fill material in waters of the United States associated with the mechanized land clearing and highway construction activities requires a Department of the Army Permit.

Upon reviewing this notice, you should write to this office to provide your opinion of the impacts this work will have on the natural and human environment and address any mitigation you believe is necessary to offset these impacts. Other comments are welcome, but the above information will further our review of the applicant's plan as proposed. Comments of a general nature are not as helpful as those specific to the impacts of the subject project.

State Water Quality Permit: The State Pollution Control Agency must certify that the described work will comply with the State's water quality standards and effluent limitations before a Corps permit is issued.

Cultural Resources: An initial review indicates that the proposed project would not affect any of the sites in Marion County listed in the National Register of Historic Places. Copies of this notice have been sent to the State Historic Preservation Officer, Federally Recognized Tribes, the Corps archaeologists, and other interested parties for comment on potential effects to cultural resources that could result from this activity.

Endangered Species: Our initial finding is that the proposed work would not affect any endangered species or their critical habitat. This proposal is being coordinated with the U.S. Fish and Wildlife Service, and any comments regarding endangered species or their critical habitat will be addressed in our evaluation of the described work.

Flood Plain: In accordance with 44 CFR Part 60 (Flood Plain Management and Use), participating communities are required to review all proposed development to determine if a flood plain development permit is required. Flood plain administrators should review the proposed development described in this public notice and apprise this office of any flood plain development permit requirements.

Evaluation Factors: The decision whether or not to issue a permit will be based upon an evaluation of the probable impact of the proposed activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefits that may be expected to accrue from the proposal must be balanced against its expected adverse effects. All factors which may be relevant to the proposal will be considered; among these are conservation, economics, aesthetics, general environmental concerns, historic values, fish and wildlife values, flood damage prevention, land use classification, navigation, recreation, water supply, water quality, energy needs, safety, food requirements and, in general, the needs and welfare of the people. Evaluation of the proposed activity will include application of the guidelines published by the Environmental Protection Agency under authority of Section 404(b) of the Clean Water Act.

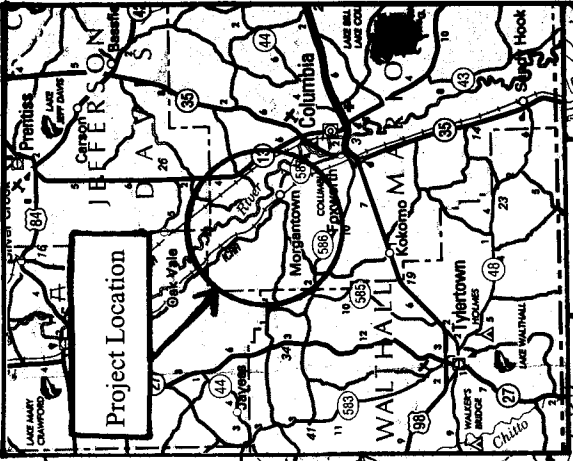
Public Involvement: The purpose of this notice is to solicit comments from the public; Federal, State, and local agencies and officials; Indian Tribes; and other interested parties. These comments will be used to evaluate the impacts of this project. All comments will be considered and used to help determine whether to issue the permit, deny the permit, or issue the permit with conditions, and to help us determine the amount and type of mitigation necessary. This information will be used in our Environmental Assessment or Impact Statement. Comments are also used to determine the need for a public hearing.

Opportunity for a Public Hearing: Any person may make a written request for a public hearing to consider this permit application. This request must be submitted by the public notice expiration date and must clearly state why a hearing is necessary. Failure of any agency or individual to comment on this notice will be interpreted to mean that there is no objection to the proposed work. Please bring this announcement to the attention of anyone you know who might be interested in this matter.

Notification of Final Permit Actions: Each month, the final permit actions from the preceding month are published on the Vicksburg District Regulatory web page. To access this information, you may follow the link from the Regulatory web page, <http://www.mvk.usace.army.mil/offices/od/odf/main.asp>, or go directly to the Final Permit Actions web page at <http://www.mvk.usace.army.mil/offices/od/odf/PubNotice/MonthlyNotice/pnmain.asp>.

W. Harold Lee
Team Leader
Evaluation Section

PHASE 1, MS HWY 44 EXTENSION,
FED. AID PROJ. NO. MS-038-039(01)B
MARION COUNTY, MISSISSIPPI



Project Location

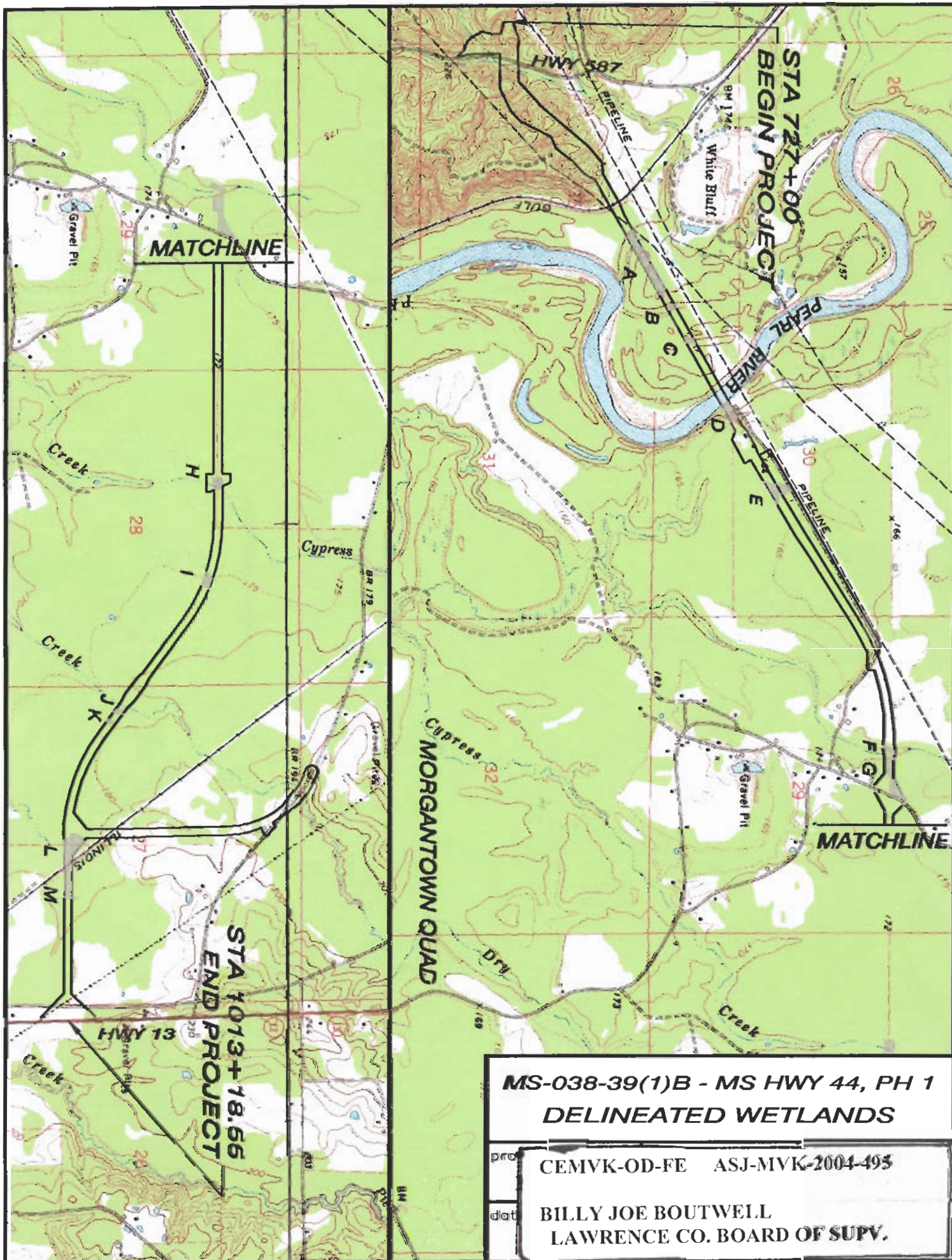
END PROJECT

BEGIN PROJECT

DUNGAN
1574 Highway 98 East
P.O. Box 150
Columbia, MS 39429
(T) 601-731-2800
(F) 601-736-6501

DE
Engineering, Inc.
Civil Engineering

CEMVK-OD-FE ASJ-MVK-2004-495
BILLY JOE BOUTWELL
LAWRENCE CO. BOARD OF SUPV.



WETLAND DELINEATION SITE SUMMARY TABLE
STATE PROJECT NO. MS-038-039(1)B
Mississippi Hwy 44 Extension-Phase I
Lawrence and Marion Counties, Mississippi
Sites A - M

Site	Station		Total Impacts (Acres)		Type
	Start	End	Wetlands	Other Waters	
A	769+70	781+00	3.62	--	BLH
B	783+35	784+35	0.26	--	BLH
C	789+80	790+50	0.28	--	BLH
D	802+15	805+05	0.99	0.94	BLH, PR
E	817+50	819+80	1.55	--	BLH
F	866+80	867+50	--	0.3	IS, FW
G	868+50	874+00	1.95	--	BLH
H	915+65	917+40	--	0.47	IS, FW
I	932+00	934+15	0.68	--	BLH
J	959+20	959+80	--	0.18	IS, FW
K	961+75	962+25	0.15	--	BLH
L	982+95	986+80	2.16	--	BLH
M	987+45	992+80	1.49	--	BLH
Totals			13.13	1.89	

Legend: BLH – Bottomland Hardwood, IS – Intermittent Stream,
FW – Fringe Wetland to Stream, PR- Pearl River

CEMVK-OD-FE ASJ-MVK-2004-495

BILLY JOE BOUTWELL
LAWRENCE CO. BOARD OF SUPV.